

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION**

STATE OF KANSAS, *et al.*,

Plaintiffs,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

Case No. 24-cv-150-DMT-CRH

**JOINT MOTION FOR ENTRY OF PROPOSED BRIEFING SCHEDULE AND
EXTENSION OF PAGE LIMITS**

The parties respectfully move the Court to enter the proposed briefing schedule and page limitations set forth below. In support of the requested relief, the parties state as follows:

1. On August 8, 2024, Plaintiffs filed this suit challenging the Centers for Medicare and Medicaid Services' final rule regarding the eligibility of Deferred Action for Childhood Arrivals (DACA) recipients for a Qualified Health Plan through an Affordable Care Act exchange and various subsidies. *See* ECF No. 1; 89 Fed. Reg. 39392 (May 8, 2024). That rule becomes effective November 1, 2024. 89 Fed. Reg. at 39392.

2. On August 28, Plaintiffs amended their complaint. ECF No. 27. Two days later Plaintiffs moved for a stay of the final rule and preliminary injunction. ECF No. 35.

3. Plaintiffs served Defendants via certified mail, and on September 3, the United States Attorney's Office for the District of North Dakota received the amended complaint and the motion. Under Local Rule 7.1(B), Defendants' opposition to the motion is due September 17, 2024. Plaintiffs' reply would then be due seven days later on September 24.

4. The parties have conferred and agreed to a briefing schedule with modest extensions of page limits set forth below that they respectfully submit will help facilitate the Court's resolution of Plaintiffs' motion before the final rule takes effect on November 1, 2024.

The extension of the deadlines and page limits will ensure that both parties have an opportunity to address the various issues and arguments adequately. The proposed schedule and extensions are as follows:

Brief	Date	Page Limit
Defendants' Opposition	September 25, 2024	30 pages
Plaintiffs' Reply	October 9, 2024	15 pages

A proposed order is attached.

Respectfully submitted,

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